

event of an exceedance of the PM₁₀ National Ambient Air Quality Standards (NAAQS) in the maintenance area; coordinate with EPA in the event the PM₁₀ design value in the maintenance area exceeds 98 µg/m³ for the 24-hour PM₁₀ NAAQS or 40 µg/m³ for the annual PM₁₀ NAAQS; and to verify the validity of the data and, if warranted based on the data review, develop a full maintenance plan for the maintenance area. The LMP satisfies all applicable requirements of section 175A of the Clean Air Act. Approval of the LMP is conditioned on maintaining levels of ambient PM₁₀ below a PM₁₀ design value criteria of 98 µg/m³ for the 24-hour PM₁₀ NAAQS and 40 µg/m³ for the annual PM₁₀ NAAQS. For the Criscuolo Park site, Connecticut still qualifies for the LMP option if, based on five years of site data, the average design values (ADV) of the continuous PM₁₀ monitor are less than the site-specific critical design value (CDV). If the LMP criteria are no longer satisfied, Connecticut must develop a full maintenance plan to meet Clean Air Act requirements.

[70 FR 59663, Oct. 13, 2005]

§ 52.379 Control strategy: PM_{2.5}.

(a) Approval—Revision to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection (DEP) on April 17, 2007, the revision is for the purpose of establishing early fine particulate (PM_{2.5}) transportation conformity emission budgets for the Connecticut portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT PM_{2.5} nonattainment area. The April 17, 2007 revision establishes PM_{2.5} motor vehicle emission budgets for 2009 of 360 tons per year of direct PM_{2.5} emissions and 18,279 tons per year of NO_x emissions to be used in transportation conformity in the Connecticut portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT PM_{2.5} nonattainment area.

(b) *Determination of Attainment.* EPA has determined, as of December 15, 2010, that the New York-Northern New Jersey-Long Island, NY-NJ-CT fine particle (PM_{2.5}) nonattainment area has attained the 1997 PM_{2.5} National Ambient Air Quality Standard. This

determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 1997 PM_{2.5} NAAQS.

(c) Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 4, 2008, to address the Clean Air Act (CAA) infrastructure requirements for the 1997 PM_{2.5} National Ambient Air Quality Standard (NAAQS). This submittal is approved as meeting the requirements of sections 110(a)(2)(B), (C) (enforcement program only), (E)(i), (E)(iii), (F), (G), (H), (J) (consultation and public notification only), (K), (L), and (M).

(d) Conditional Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 4, 2008, to address the Clean Air Act (CAA) infrastructure requirements for the 1997 PM_{2.5} National Ambient Air Quality Standard (NAAQS). EPA is conditionally approving Connecticut's submittal with respect to CAA sections 110(a)(2)(A), (C) only as it related to the PSD program, (D)(ii), (E)(ii), and (J) only as it relates to the PSD program. This conditional approval is contingent upon Connecticut taking actions to meet requirements of these elements within one year of conditional approval, as committed to in letters from the state to EPA Region 1 dated June 15, 2012, and July 11, 2012.

(e) Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 18, 2009, with supplements submitted on January 7, 2011, and August 19, 2011, to address the Clean Air Act (CAA) infrastructure requirements for the 2006 PM_{2.5} National Ambient Air Quality Standard (NAAQS). This submittal is approved as meeting the requirements of sections 110(a)(2)(B), (C) (enforcement program only), (E)(i), (E)(iii), (F), (G), (H), (J) (consultation and public notification only), (K), (L), and (M).

(f) Conditional Approval—Submittal from the Connecticut Department of

Environmental Protection, dated September 18, 2009, with supplements submitted on January 7, 2011, and August 19, 2011, to address the Clean Air Act (CAA) infrastructure requirements for the 2006 PM_{2.5} National Ambient Air Quality Standard (NAAQS). EPA is conditionally approving Connecticut's submittal with respect to CAA sections 110(a)(2)(A), (C) only as it related to the PSD program, (D)(ii), (E)(ii), and (J) only as it relates to the PSD program. This conditional approval is contingent upon Connecticut taking actions to meet requirements of these elements within one year of conditional approval, as committed to in letters from the state to EPA Region 1 dated June 15, 2012, and July 11, 2012.

(g) *Determination of Attainment.* EPA has determined, as of December 31, 2012, that the New York-N. New Jersey-Long Island, NY-NJ-CT fine particle (PM_{2.5}) nonattainment area has attained the 2006 PM_{2.5} National Ambient Air Quality Standard. This determination suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 2006 PM_{2.5} NAAQS.

(h) *Approval*—EPA is approving a request to redesignate the Connecticut portion of the New York-N. New Jersey-Long Island, NY-NJ-CT fine particle (PM_{2.5}) area (i.e., New Haven and Fairfield Counties or the Southwestern CT Area) from nonattainment to attainment for the 1997 annual and 2006 24-hour PM_{2.5} standards. Connecticut submitted this request on June 22, 2012. As part of the redesignation request, the State submitted a maintenance plan as required by section 175A of the Clean Air Act. Elements of the section 175A maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision as required by the Clean Air Act. The PM_{2.5} maintenance plan also establishes 2017 and 2025 Motor Vehicle Emission Budgets (MVEBs) for the Area. Connecticut is establishing 2017 MVEBs of 575.8 tons per year (tpy) for direct PM_{2.5} and 12,791.8 tpy for NO_x,

and 2025 MVEBs of 516 tpy for direct PM_{2.5} and 9,728.1 tpy for NO_x, for the Southwestern CT Area for maintenance of the 1997 annual and 2006 24-hour PM_{2.5} standards. The 2017 and 2025 MVEBs were prepared with the MOVES model. Previously SIP-approved 2009 MVEBs prepared with MOBILE6.2 are being withdrawn. Finally, EPA is also approving a comprehensive 2007 emission inventory for this Area.

[72 FR 50063, Aug. 30, 2007, as amended at 75 FR 69577, Nov. 15, 2010; 77 FR 63232, Oct. 16, 2012; 77 FR 76871, Dec. 31, 2012; 78 FR 58469, Sept. 24, 2013]

§ 52.380 Rules and regulations.

(a) All facilities owned, operated or under contract with the Connecticut Transportation Authority shall comply in all respects with Connecticut Regulations for the Abatement of Air Pollution sections 19–508–1 through 19–508–25 inclusive, as approved by the Administrator.

(b) For the purposes of paragraph (a) of this section the word “Administrator” shall be substituted for the word “Commissioner” wherever that word appears in Connecticut Regulations for the Abatement of Air Pollution sections 19–508–1 through 19–508–25 inclusive, as approved by the Administrator.

(c) The June 27 and December 28, 1979, February 1, May 1, September 8 and November 12, 1980, revisions are approved as satisfying Part D requirements under the following conditions:

(1)–(2) [Reserved]

(d) Non-Part D-No Action: EPA is neither approving nor disapproving the following elements of the revisions:

(1)–(2) [Reserved]

(3) The program to review new and modified major stationary sources in attainment areas (prevention of significant deterioration).

(4) Permit fees

(5) Stack height regulations

(6) Interstate pollution requirements

(7) Monitoring requirements

(8) Conflict of interest provisions.

(9) Use of 1 percent sulfur content fuel by the following residual oil burning sources, identified under § 52.370, paragraph (c)(18).

(i) Northeast Utilities, HELCO Power Station in Middletown,